

AMENDED IN ASSEMBLY JULY 13, 2005

AMENDED IN SENATE APRIL 5, 2005

SENATE BILL

No. 724

Introduced by Senator Scott

(Coauthors: Senators ~~Battin, Cedillo, Ducheny, Escutia, Lowenthal, and Runner~~ *Ashburn, Battin, Cedillo, Ducheny, Dutton, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Maldonado, Margett, Perata, Romero, Runner, and Soto*)

(Coauthors: Assembly Members ~~Bogh, Garcia, McCarthy, Negrete McLeod, Nunez, and Plescia~~ *Arambula, Bogh, Cohn, De La Torre, Emmerson, Garcia, Shirley Horton, Huff, Jones, La Suer, McCarthy, Mullin, Negrete McLeod, Nunez, Parra, Plescia, Ruskin, Torrico, Vargas, and Villines*)

February 22, 2005

An act to amend Section 66010.4 of, *and to add Article 4.5 (commencing with Section 66040) to Chapter 2 of Part 40 of*, the Education Code, relating to the California State University.

LEGISLATIVE COUNSEL'S DIGEST

SB 724, as amended, Scott. California State University: ~~doctoral~~ *Doctor of Education* degrees.

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Provisions of the act do not apply to the University of California unless the regents of the university act, by resolution, to make them applicable.

Among other things, the act provides that the University of California has exclusive jurisdiction in public higher education to award the doctoral degree in all fields of learning, except that it may

agree with the California State University to award joint doctoral degrees in selected fields. With respect to doctoral degrees, the act limits the California State University to awarding these degrees jointly with the University of California, as described above, or jointly with independent institutions of higher education, provided that the proposed doctoral program is approved by the California Postsecondary Education Commission.

This bill would instead authorize the California State University to award, ~~in selected professional fields, the doctoral degree, but not the degree of doctor of philosophy, except as that degree would be awarded jointly with the University of California or with one or more independent institutions of higher education. The bill would also prohibit the California State University from awarding doctoral degrees in law, medicine, dentistry, or veterinary medicine. The~~ *Doctor of Education degree, and prescribe standards for the awarding of that degree. The bill would require any proposals for new doctoral programs at the California State University to be reviewed, and approved, revised, or rejected, by the trustees in accordance with prescribed criteria, the Department of Finance, and the Legislative Analyst's Office to jointly conduct, in accordance with prescribed criteria, a statewide evaluation of the doctoral programs implemented under the bill and to report the results of the evaluation, in writing, to the Legislature and the Governor on or before January 1, 2011.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 66010.4 of the Education Code is
- 2 amended to read:
- 3 66010.4. The missions and functions of California's public
- 4 and independent segments, and their respective institutions of
- 5 higher education shall be differentiated as follows:
- 6 (a) (1) The California Community Colleges shall, as a
- 7 primary mission, offer academic and vocational instruction at the
- 8 lower division level for both younger and older students,
- 9 including those persons returning to school. Public community
- 10 colleges shall offer instruction through but not beyond the second
- 11 year of college. These institutions may grant the associate in arts
- 12 and the associate in science degree.

(2) In addition to the primary mission of academic and vocational instruction, the community colleges shall offer instruction and courses to achieve all of the following:

(A) The provision of remedial instruction for those in need of it and, in conjunction with the school districts, instruction in English as a second language, adult noncredit instruction, and support services which help students succeed at the postsecondary level are reaffirmed and supported as essential and important functions of the community colleges.

(B) The provision of adult noncredit education curricula in areas defined as being in the state's interest is an essential and important function of the community colleges.

(C) The provision of community services courses and programs is an authorized function of the community colleges so long as their provision is compatible with an institution's ability to meet its obligations in its primary missions.

(3) A primary mission of the California Community Colleges is to advance California's economic growth and global competitiveness through education, training, and services that contribute to continuous workforce improvement.

(4) The community colleges may conduct to the extent that state funding is provided, institutional research concerning student learning and retention as is needed to facilitate their educational missions.

(b) (1) The California State University shall offer undergraduate and graduate instruction through the master's degree in the liberal arts and sciences and professional education, including teacher education. Presently established two-year programs in agriculture are authorized, but other two-year programs shall be permitted only when mutually agreed upon by the Trustees of the California State University and the Board of Governors of the California Community Colleges.

~~(2) (A) The California State University may award, in selected professional fields, the doctoral degree, but not the doctor of philosophy degree, except as authorized in subparagraph (B), nor the doctoral degree in law, medicine, dentistry, or veterinary medicine. Any proposal for a new doctoral program at the California State University shall be reviewed, and approved, revised, or rejected, by the trustees. In~~

1 reviewing proposals for new doctoral programs, the trustees shall
2 consider all of the following:

- 3 (i) ~~The need for well-prepared professionals in the field.~~
- 4 (ii) ~~Professional standards, including accreditation and~~
5 ~~licensure requirements.~~
- 6 (iii) ~~The availability of systemwide and statewide resources.~~
- 7 (iv) ~~The extent of systemwide and campus faculty expertise in~~
8 ~~the field.~~

9 (B) ~~The doctoral degree, including the doctor of philosophy~~
10 ~~degree, may also~~

11 (2) (A) *The doctoral degree may be awarded jointly with the*
12 *University of California, as provided in subdivision (c) and*
13 *pursuant to Section 66904. The doctoral degree, including the*
14 *doctor of philosophy degree, may also be awarded jointly with*
15 *one or more independent institutions of higher education,*
16 *provided that the proposed doctoral program is approved by the*
17 *California Postsecondary Education Commission.*

18 (B) *The California State University may award the Doctor of*
19 *Education (Ed.D.) degree in accordance with Article 4.5*
20 *(commencing with Section 66040).*

21 (3) Research, scholarship, and creative activity in support of
22 its undergraduate and graduate instructional mission is authorized
23 in the California State University, and shall be supported by the
24 state. The primary mission of the California State University is
25 undergraduate and graduate instruction through the master's
26 degree.

27 (c) (1) The University of California may provide
28 undergraduate and graduate instruction in the liberal arts and
29 sciences and in the professions, including the teaching
30 professions. It shall have exclusive jurisdiction in public higher
31 education over instruction in the profession of law and over
32 graduate instruction in the professions of medicine, dentistry, and
33 veterinary medicine.

34 (2) The University of California has the sole authority in
35 public higher education to award the doctoral degree in all fields
36 of learning, except as provided in subdivision (b). The University
37 of California shall be the primary state-supported academic
38 agency for research.

1 (d) The independent institutions of higher education shall
2 provide undergraduate and graduate instruction and research in
3 accordance with their respective missions.

4 *SEC. 2. Article 4.5 (commencing with Section 66040) is*
5 *added to Chapter 2 of Part 40 of the Education Code, to read:*

6
7 *Article 4.5. Doctoral Programs in Education*
8

9 *66040. The Legislature finds and declares both of the*
10 *following:*

11 *(a) Since its adoption in 1960, the Master Plan for Higher*
12 *Education has served the state exceedingly well, allowing*
13 *California to create the largest and most distinguished higher*
14 *education system in the nation. A key component of the Master*
15 *Plan is the differentiation of mission and function, whereby*
16 *doctoral and identified professional programs are limited to the*
17 *University of California, with the provision that California State*
18 *University can provide doctoral education in joint doctoral*
19 *degree programs with the University of California and*
20 *independent California colleges and universities. This*
21 *differentiation of function has allowed California to provide*
22 *universal access to postsecondary education while preserving*
23 *quality.*

24 *(b) Because of the urgent need for well-prepared*
25 *administrators to lead public school and community college*
26 *reform efforts, the State of California is hereby making an*
27 *exception to the differentiation of function in graduate education*
28 *that assigns exclusive authority among the California public*
29 *higher education segments to the University of California for*
30 *awarding doctoral degrees independently. This exception to the*
31 *Master Plan for Higher Education recognizes the urgency of*
32 *meeting critical public school and community college leadership*
33 *needs and the distinctive strengths and respective missions of the*
34 *California State University and the University of California.*

35 *66040.3. (a) Pursuant to Section 66040, and in order to*
36 *meet specific educational leadership needs in the California*
37 *public schools and community colleges, the California State*
38 *University is authorized to award the Doctor of Education*
39 *(Ed.D.) degree in accordance with this section. The authority to*
40 *award degrees granted by this article is limited to the discipline*

1 of education. The Doctor of Education degree offered by the
2 California State University shall be distinguished from doctoral
3 degree programs at the University of California by its adherence
4 to the requirements of subdivision (b).

5 (b) The Doctor of Education degree offered by the California
6 State University shall be focused on preparing administrative
7 leaders for California public elementary and secondary schools
8 and community colleges. The Doctor of Education degree offered
9 by the California State University shall be based in partnerships
10 through which the California public elementary and secondary
11 schools and community colleges shall participate substantively in
12 program design, candidate recruitment and admissions,
13 teaching, and program assessment and evaluation. This degree
14 shall enable professionals to earn the degree while working
15 full-time.

16 (c) Nothing in this article shall be construed to limit or
17 preclude the California Postsecondary Education Commission
18 from exercising its authority under Chapter 11 (commencing
19 with Section 66900) to review, evaluate, and make
20 recommendations relating to, any and all programs established
21 under this article.

22 66040.5. With regard to funding the degree programs
23 authorized in Section 66040.3, the California State University
24 shall follow all of the following requirements:

25 (a) Funding on a per full-time equivalent student (FTES) basis
26 for each new student in these degree programs shall be funded
27 from within the California State University's planned enrollment
28 growth of 2.5 percent per year from 2006 to 2010, inclusive.
29 After 2010, enrollments for these programs shall be within
30 enrollment growth levels agreed to by the California State
31 University with the Governor and the Legislature. Enrollments in
32 these programs shall not alter the California State University's
33 ratio of graduate instruction to total enrollment, and shall not
34 come at the expense of enrollment growth in university
35 undergraduate programs. Funding provided from the state for
36 each FTES shall be at the agreed-upon marginal cost calculation
37 that the California State University receives.

38 (b) Each student in the programs authorized by this article
39 shall be charged fees no higher than the rate charged for
40 students in state-supported doctoral degree programs in

1 *education at the University of California, including joint Ed.D.*
2 *programs of the California State University and the University of*
3 *California.*

4 *(c) The California State University shall provide any startup*
5 *funding needed for the programs authorized by this article from*
6 *within existing budgets for academic programs support, without*
7 *diminishing the quality of program support offered to California*
8 *State University undergraduate programs. Funding of these*
9 *programs shall not result in reduced undergraduate enrollments*
10 *at the California State University.*

11 *66040.7. The California State University, the Department of*
12 *Finance, and the Legislative Analyst's Office shall jointly*
13 *conduct a statewide evaluation of the new programs implemented*
14 *under this article. The results of the evaluation shall be reported,*
15 *in writing, to the Legislature and Governor on or before January*
16 *1, 2011. The evaluation required by this section shall consider*
17 *all of the following:*

18 *(a) The number of new doctoral programs in education*
19 *implemented, including information identifying the number of*
20 *new programs, applicants, admissions, enrollments, degree*
21 *recipients, time-to-degree, attrition, and public school and*
22 *community college program partners.*

23 *(b) The extent to which the programs established under this*
24 *article are fulfilling identified state needs for training in*
25 *educational leadership, including statewide supply and demand*
26 *data that considers capacity at the University of California and*
27 *in California's independent colleges and universities.*

28 *(c) Information on the place of employment of students and the*
29 *subsequent job placement of graduates.*

30 *(d) Any available evidence on the effects that the graduates of*
31 *the programs are having on elementary and secondary school*
32 *and community college reform efforts and on student*
33 *achievement.*

34 *(e) Program costs and the fund sources that were used to*
35 *finance these programs, including a calculation of cost per*
36 *degree awarded.*

37 *(f) The costs of the programs to students, the amount of*
38 *financial aid offered, and student debt levels of graduates of the*
39 *programs.*

- 1 (g) *The extent to which the programs established under this*
- 2 *article are in compliance with the requirements of this article.*

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